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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

July 1982

VOL. III, No. 14

SHELVED WITH
PERIODICALS

FACT-FINDING TASK FORCE ON CORRECTIONS

MEMBERS APPOINTED

Anticipating approval of Special Session House Bill 11 by the Governor, the following members of the committee have been selected:

STATE DOCUMENTS COLLECTION

Senators:
Boylan
Etchart
Haffey
Manley

Representatives:
Keedy
Nilson
Matsko
Thoft

JUL 6 1982

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A staff suggestion of July 9 has been made for the first meeting. This is totally unconfirmed by any of the members. Interested persons may confirm this date by calling the Legislative Council (449-3064) July 7 or 8.

INTERIM SUBCOMMITTEES

BUSINESS

JUNE 22 MEETING HELD

The Subcommittee on Business held its sixth meeting on June 22 in Helena. The meeting was primarily a work session. Deborah Schmidt, EQC director, and Senator Gary Lee gave a short presentation on the EQC/Business Subcommittee forum on environmental regulation and the economy, to be held October 4 and 5 in Helena.

The committee reviewed a draft bill on reserving water rights on four major Montana rivers. Gary Fritz of DNRC made some comments with respect to the bill. He also suggested to the committee that waiting until the DNRC completes its study on water use, the so-called "Use It or Lose It" study, might be informative and beneficial.

The committee also reviewed information presented by staff on Montana's and California's treatment of capital gains. The committee will be studying this further.

PLEASE RETURN

The next meeting of the Subcommittee on Business is tentatively scheduled for October 6, in Helena.

FISH AND GAME

JUNE 11
MEETING HELD

The Subcommittee on Fish and Game met in Miles City on June 11. Staff presented draft reports on the Game Wardens' Retirement System and on a comparison of license fees in the western states. The committee will be examining license fees at its next meeting.

Ken Walcheck, Fish, Wildlife, and Parks staff, presented an overview of Region 7 operations and management. Jim Flynn, department director, offered several alternatives to the closing of the Miles City federal fish hatchery. He also made a presentation on changing the department's funding structure. The committee will also review these issues at a future date.

The committee will hold its next meeting in Kalispell at a date to be set by Chairman Senator Ed Smith.

HIGHWAYS

JULY 23
DATE SET

Representative John Harp, Chairman of the Joint Subcommittee on Highways, announced that group will meet at 10:00 a.m., Friday, July 23, in Room 104 of the Capitol.

The committee hopes to have available for study before that date the Legislative Auditor's performance audits of the Department of Highways.

WORK MAY BE
COMPLETED

The chairman said the meeting will continue on Saturday morning, July 24, if it appears possible that the committee can complete its work then and avoid another later meeting.

HUMAN SERVICES

YOUTH SERVICES
MAJOR TOPIC
JULY 23

The next meeting of the Human Services Subcommittee is scheduled for Friday, July 23, at 9:00 a.m., Mountain View School, Helena. The agenda for the meeting includes a report on a survey of the Department of Institutions, which is being conducted by Dr. Richard Vandiver, University of Montana Department of Sociology; a presentation of the persistent status offender

legislation; a review of a plan to improve services to emotionally disturbed children and youth; and a consideration of a proposal for remedying the confusion within the youth services system.

JUDICIARY

NEW DATE SET

The sixth Judiciary Subcommittee meeting, originally scheduled for June, has been rescheduled for Saturday, July 17. The meeting will begin at 10:00 a.m. in Room 104 of the Capitol.

During this meeting, the committee will review revised bills concerning disqualification of judges through peremptory challenges and transcript preparation and discuss a staff report on the constitutionality of granting the supreme court discretionary jurisdiction over its caseload. Members will also consider draft legislation creating a state public defender system and a public defense coordinator. In addition, the committee will begin its study of the delivery of prosecution services in Montana. Results of a recent county attorney survey will be presented. A staff member from the Attorney General's Office will also discuss a proposed district attorney plan.

TRANSPORTATION

EARLY AUGUST DATE PLANNED FOR LAST MEETING

Representative John Shontz, Chairman of the Joint Subcommittee on Transportation, anticipates convening the committee during the first week in August when the Legislative Auditor's Sunset Report on the Public Service Commission will be available. This document will be reviewed by the committee in relationship to the deregulation aspects of its study. Representatives of the PSC will also be asked to participate in the meeting.

Chairman Shontz said he hopes the committee will be able to complete its work at the August session and agree on its report and recommendations.

The meeting date will be announced as soon as it is set.

REVENUE OVERSIGHT COMMITTEE

JUNE 21
MEETING HELD

The Revenue Oversight Committee met in Helena on June 21 -- during the special session. The committee considered the problems with railroad retirement benefits being counted as income under the elderly property tax credit. After considerable discussion, the committee adopted a motion to request a bill for the 1983 legislative session that would allow railroad retirees' pensions the same rights that social security recipients have for the 1981 tax year. In addition, the committee agreed to consider a bill that would equalize all pensioners' rights.

RAILROAD RETIRE-
MENT CONSIDERED

LIQUOR PRICE
INCREASE
RESOLUTION

The committee also discussed the Department of Revenue's proposal to raise liquor prices by approximately 8%. As a result of the discussion, the committee introduced a resolution in the special session that called for a concurrent special session of the Legislature to consider the liquor price increase issue. The committee's resolution (SJR 1) was referred to the Senate Rules Committee. The Rules Committee returned an adverse committee report that recommended that SJR 1 not be accepted for consideration "because it does not fall within either the call of the Governor or in written form from a majority of legislators."

The Rules Committee went on to repeat in its report the language of SJR 1 and concluded with the following statement:

Further, that the Department of Revenue withhold any increase in liquor prices for the purpose of projecting a total revenue of \$13 million for the fiscal year ending June 30, 1983, and that the 1983 session of the legislature remove the deposit limit imposed on the Department of Revenue in House Bill 500.

The adverse Rules Committee report was accepted by the Senate 37 to 10. The House of Representatives did not act upon the resolution.

COAL TAX OVERSIGHT SUBCOMMITTEE

MEETING JULY 20

The Coal Tax Oversight Subcommittee will meet in Helena on July 20, 1982, beginning at 9:00 a.m. The meeting will be in Room 104 of the Capitol. The Subcommittee will consider alternatives dealing with cultural and aesthetic grant applications and will discuss the subcommittee's final report and recommendations.

LEGISLATIVE AUDIT COMMITTEE

LEGISLATIVE AUDIT COMMITTEE MEETING

The Legislative Audit Committee will meet in early July.

FINANCIAL/ COMPLIANCE AUDITS

The committee will receive and review the following financial/compliance audit reports:

Advisory Council for Vocational-Technical Center
Helena Vocational-Technical Center
Commissioner of Higher Education
Comprehensive Employment & Training Act
(Contract Audit)

PERFORMANCE AUDITS

The committee will also receive and review the following performance audits:

Department of Highways
Department of Highways, Motor Pool

REPORTS AVAILABLE

Copies of all reports are available from the Office of the Legislative Auditor, Room 135, State Capitol, telephone 449-3122.

DISTRICTING AND APPORTIONMENT

BUTTE HEARING

The Montana Districting and Apportionment Commission held two hearings and a meeting during the month of June. The first hearing, in Butte on June 12, was well attended and fairly uncontroversial, to the surprise of many, as Silver Bow County will be losing one house seat during this reapportionment. Most testifiers preferred establishing the five Silver Bow districts solely within the county's boundaries and preferred creating one district out of an undivided Powell County and two districts in the area consisting of Granite and Deer Lodge Counties. The Commission adopted all of these recommendations during its work session in Bozeman on June 17.

BOZEMAN HEARING

At the Bozeman hearing on the 17th, the people from Gallatin County presented a unified front in support of a plan developed by two county residents, Johnson and Marchwick. Noting the ripple effect of that plan into Yellowstone County, and preferring to keep house district 46 (Wheatland, Golden Valley, and Musselshell Counties) intact, the Commission considered an amendment to one of the districts in that plan, which combines Three Forks with part of Jefferson County rather than with Townsend. The Commission adopted this amendment at its work session in the afternoon, but announced that such adoption was tentative pending a hearing in Helena at which time Jefferson County would be given an opportunity to comment on the plan.

TENTATIVE DECISIONS

The Commission also tentatively adopted districts in the counties of Madison, Beaverhead, Broadwater, Meagher, Wheatland, Golden Valley, and Musselshell.

HEARINGS SET FOR HELENA AND KALISPELL

The Commission's next hearings will take place in KALISPELL on July 15, 1982, at 2:00 p.m. in the city council chambers of City Hall, First Avenue East and Third Street, and in HELENA on July 16, 1982, at 2:00 p.m. in Room 415 of the State Capitol. At the Kalispell hearing, the Commission will take testimony from people on districts in Flathead, Lake, Lincoln, Mineral, and Sanders Counties. At the Helena hearing, the Commission will consider districts in Lewis and Clark, Jefferson, and Broadwater Counties. Following the Helena hearing, the Commission will reconvene for a work session and will take action on the districts heard that day and in Kalispell. Action taken on these districts may necessitate changes in districts previously adopted.

MISSOULA HEARING POSTPONED

Note that the Missoula hearing, previously scheduled for July 16, is postponed until a later date.

SJR 34 COMMITTEE


ISSUES TASK FORCE ESTABLISHED

The Task Force authorized by the Legislative Advisory Committee has set up study groups to develop recommendations to resolve the issues presented through the licensure study. The study groups will look at issues within the Social and Rehabilitation Services' and Department of Health and Environmental Sciences' licensing structure.

These task force study groups will meet in July and August and will send their report to the Legislative Advisory Committee.

Specific issues being addressed and dates for meetings and public hearings can be obtained by contacting the Health Planning and Resource Development staff (phone 449-3121).

LEGISLATIVE INTERIM CALENDAR

JULY					THURSDAY	FRIDAY	SATURDAY
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
				1	2	3	
4 	5	6	7	8 EQC Rm 104	9 EQC Rm 104 Corrections Task Force 9am Rm 108 5-State Water Conference Rm 139	10	
11	12	13	14	15 Districting and Apportionment Kalispell	16 Districting and Apportionment Missoula	17 Judiciary Subcommittee Rm 104 10 am	
18	19	20 Coal Tax Oversight Rm 104	21 Joint Education Rm 104 9 am	22	23 Highways Committee Rm 104 Subcommittee on Human Serv	24 Highways Committee Rm 104	
25	26 NATIONAL CONFERENCE OF STATE LEGISLATURES - ANNUAL MEETING Chicago JULY 26-30	27	28	29	30	31	

LEGISLATIVE INTERIM CALENDAR

SATURDAY

FRIDAY

THURSDAY

WEDNESDAY

TUESDAY

MONDAY

SUNDAY

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
Western Conference COUNCIL OF STATE GOVERNMENTS Park City UT August 22-25						

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DEADHEAD

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